

IN THE COURT OF METROPOLITAN MAGISTRATE,
71st COURT, BANDRA, MUMBAI.

C. C. NO. 2813/PS/2023

C. R. No. 484/2023 of Vakola P. Stn.

1. Name of Accused :- Mukesh Jagdish Saw.
2. Offence complained :- P.U.S.279, 336 of I.P.C. & Sec. 184 of M.V. Act.
3. Particulars of Offence :- That on 03/08/2023, at about 11.30 hours, TPS 3, Road No.12, Vakola, Santacruz (E), Mumbai, you accused were found driving vehicle i.e. rickshaw bearing registration No.MH-02-FB-3372, so rashly or negligently as to endanger human life or to be likely to cause hurt or injury to any person and thereby committed an offence punishable under section 279 of I.P.C. and within my cognizance.

Secondly, That, you on above date, time and place drove above mentioned vehicle, as to endanger human life and thereby committed an offence punishable under section 336 Indian Penal Code and within my cognizance.

Thirdly, on above mentioned date, time and place you accused, drove your above mentioned vehicle at speed or in manner which is dangerous to the public or which causes sense of alarm to other road users and thereby committed an offence punishable under section 184 of the Motor Vehicles Act and within my cognizance.

...2...

Plea of Accused :

Q.1: Have you received copy of Charge-sheet ?

Ans: Yes.

Q.2: Have you heard & understood the Charge now read over & explained to you ?

Ans : Yes.

Q.3: Do you plea guilty ?

Ans : Yes.

Before me,

Signature of Accused

Sd/-

Metropolitan Magistrate,
71st Court, Bandra, Mumbai.

JUDGMENT

1. The accused is alleged to have committed offence PUS. 279, 336 of I.P.C. and 184 of M. V. Act. The accused has pleaded guilty voluntarily when the consequences of pleading guilty were explained to him. Thus, the accused will have to be convicted.

2. The Ld. APP argued for maximum punishment. However, there is no evidence of the previous conviction of the accused under the said Sections available on record.

3. Heard the accused on the point of sentence. He stated that, he is only earning member in his family. His economic condition is not sound. His family is totally dependent on him. He further stated that, it is his first offence and he assured that, he will not commit any offence in future.

4. Considering the plea of the accused, following order is passed.

...3...

C. C. NO. 2813/PS/2023

C. R. No. 484/2023 of Vakola P. Stn.

ORDER

- 1) The accused is hereby convicted under Sec. 252 for the offence PUS. 279 of Indian Penal Code and are sentenced to pay fine of ₹.1,000/- (One Thousand) and in default of payment of fine the accused is sentenced to suffer Simple Imprisonment for Five (05) days.
- 2) The accused is hereby convicted under Sec. 252 for the offence PUS. 336 of Indian Penal Code and is sentenced to pay fine of ₹.250/- (Two Hundred and Fifty) and in-default of payment of fine the accused is sentenced to suffer Simple Imprisonment for One (01) day.
- 3) The accused is hereby convicted under Sec. 252 for the offence PUS. 184 of M. V. Act and is sentenced to pay fine of ₹.1,000/- (One Thousand) and in-default of payment of fine the accused is sentenced to suffer Simple Imprisonment for Five (05) days.
- 4) All sentences to run consecutively.
- 5) Seized property if any be returned to its lawful owner, as per rule.
- 6) Proceeding closed. Case papers be filed.

Place : Mumbai.
Date : 05/08/2023.
SRD.

Sd/-
(A. B. Jadhav)
Metropolitan Magistrate,
71st Court, Bandra, Mumbai.